



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable J. A. Hill, President  
West Texas State Teachers College  
Canyon, Texas

Dear Sir:

Opinion No. O-3826  
Re: Payment of summer school  
employees.

We construe your letter of July 24, 1941, to propound the question of whether small balances remaining in various other appropriations to your College may be used in paying salaries of employees in the summer school.

House Bill No. 255 of the 46th Legislature appropriated sums for the payment of teachers' salaries on a nine months basis, and made a lump sum appropriation for the summer school.

The appropriation for teachers expense to West Texas State Teachers College commences as follows: "Salaries: (Nine months unless otherwise noted)."

Administrative expense, on the other hand, was on a twelve months basis. It appears "administration (twelve months)."

Following the itemization of teachers' salaries on a nine months basis, and administrative expense on a twelve months basis, is the following item:

"85. Summer School. . . \$20,000.00 . . . \$20,000.00."

The payment of all salaries incident to the summer school held at West Texas State Teachers College must therefore be paid out of the appropriation for the summer session. This total amount may not be supplemented from any other source. The method adopted by the Legislature, above reviewed, clearly evinces a purpose that the payment of the expenses for the long session, that is, the nine months session, apart from administrative expense, is one thing, and the payment of the expenses of the summer session another thing.

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It necessarily follows that no accumulated balances out of appropriations to pay the salaries of teachers or other employees for the nine months session can be used to pay the salaries of employees in the summer school.

It is our understanding from your letter, and from the conversation referred to in your letter between Mr. Virgil Henson, your business manager, and this department, that the question before you is as we have construed it. We shall be pleased to advise you in any other respects not covered by this opinion if we have erroneously interpreted your request.

Yours very truly

APPROVED AUG 7, 1941

ATTORNEY GENERAL OF TEXAS

*[Signature]*  
FIRST ASSISTANT  
ATTORNEY GENERAL

By *[Signature]*  
Zollie C. Steakley  
Assistant

ZCS:RB

